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PROFESSIONAL STANDARDS AND ETHICS IN NEW ZEALAND ARCHAEOLOGY

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INTRODUCTION

In a recent article in the journal of the Archives and Records Association of New Zealand, Stoddart (1990) argues the need for a set of ethical standards for archivists. His arguments hinge on the idea that a profession is characterised by an organised body of knowledge, both theoretical and practical, and by a professional, value-based, subculture shared by all members of the profession (Pemberton and Pendergraft 1990: 3). Stoddart points out that ethical standards are often a codification of shared values. He cites the Society of American Archivists in proposing that the archival profession needs a code of ethics to remind members of their responsibilities, 'to educate [non-archivists] about the work of archivists and to encourage them to expect high standards' (Stoddart 1990: 41). He also suggests that, among other things, 'A set of identified values or ethical statements will assist archivists to gain recognition as a profession' (Stoddart 1990: 42-43). I believe that these arguments apply equally well to the profession of archaeology, particularly when it crosses over into the field of cultural resource management.

Stoddart (1990: 43-5) goes on to list a series of 'shared archival values', effectively a code of ethics, grouped according to the archivist's various fields of activity, such as acquisition, arrangement, description and professional interaction. This activity-based system of organisation is adopted by a number of codes of ethics in, for example, the museum profession (ICOM 1987; AAM 1978; MA 1985), but an alternative means of organising a code is as related sets of obligations (e.g. CMA 1977). Van Mensch (1989: 101-2) identifies six such groups of 'basic responsibilities', but I believe that the list may usefully be shortened to three:

1. Obligations to the profession, including one's colleagues and oneself;
2. Obligations to the public, including one's employers and those who have an interest in the material one cares for or works with. In the case of archaeology, this includes both the people who created the sites or artefacts we study and their descendants;
3. Obligations to the material itself, to the objects or places one studies or cares for, the physical resource that we utilise.

Each of these sets of obligations encompasses a range of activities, such as study, research, communication, education, management and conservation,

which may in turn apply to any of the other obligations. For purposes of drawing up a code, it may be easier to group ethical values by activity, as Stoddart and others do. In order to allow comparisons to be drawn between different codes, however, which is what I want to do, I believe it is more appropriate to look at them in terms of types of obligation. For the sake of brevity, I shall refer to the above three groups as 'professional', 'public' and 'management' obligations.

ETHICAL STANDARDS IN THE HERITAGE PROFESSIONS

Other groups concerned with the study and protection of cultural resources, what one might call the 'heritage professions', are also concerned with ethical issues. Two such are the museum and library professions. Museums, in addition to formulating general codes of ethics for all museum professionals, have developed separate codes for sub-groups such as curators, conservators, registrars, and shop managers (Van Mensch 1989: 99). Librarians also recognise that codes can relate both generally, for example to 'information workers' as a whole, and to specific sub-groups, such as managers, within the profession (Howell 1991; Higgins 1991).

The Art Galleries and Museums Association of New Zealand has recently drafted a code of conduct for museums and museum staff (AGMANZ 1990) which deals with the specific responsibilities of museums, their governing bodies, directors and staff, and sets out in some detail their obligations to each other, to the public and to the objects they care for. Considerable emphasis is placed on obligations to different cultural groups, in particular tangata whenua, and to the principle of partnership established by the Treaty of Waitangi (see NZ Court of Appeal 1987).

A related but separate group, which operates both within and outside the museum profession, is the New Zealand Professional Conservators Group, formed in 1986, which is an association of professional conservators of cultural property employed in museums, archives, libraries and even archaeological laboratories (NZPCG 1991: 4). Their recently published code of ethics again sets out a series of responsibilities to colleagues, the public and, most importantly in this case, to the objects they conserve. The conservator's primary responsibility is seen as being to the object and its long-term preservation (NZPCG 1991: 9). In this respect, the conservators' obligations are very similar to those of archaeological resource managers, whose primary concern must always be the protection of the sites they care for (Price 1989: 292-3). The conservators also make the point that their code of ethics 'allows the professional organisation to regulate the conduct of its members, since violation of the code can lead to revocation of membership' (NZPCG 1991: 8).

In 1986, the Council of the New Zealand Library Association adopted a 'Code of Professional Conduct' and a set of 'Principles Applying to Consultant Librarians' which recognise the social and professional obligations of librarians in their role as cultural heritage managers (NZLA 1988: 32-3). Interestingly, the code is not explicit about the related management obligations. This lack may be partly explained by the inherently perishable and replaceable nature of much of the Librarian's resource - many books can be replaced when they fall apart or become out of date, unlike archives, artefacts or archaeological sites, which are, by their very nature, unique.

PROFESSIONAL ETHICS AMONG ARCHAEOLOGISTS

Archaeologists have not been unaware of the relationship between ethical standards and the claim to professional status. Since 1953, the Society for American Archaeology has recognised the need for guidance on professional practices (Davis 1982: 158; 1989: 278-9). By 1976, the Society of Professional Archaeologists (SOPA) had been formed in the United States, with a Code of Ethics and Standards of Research Performance. Membership of SOPA

'indicates that an individual has attained minimum requirements in training and experience....members are formally accountable to their peers for their actions [while] representation of other societies on the board ensures consideration of all archaeological interests' (Davis 1982: 159).

Like other professional groups, SOPA has a mission to educate the public and inform its members. The SOPA code of ethics (SOPA n.d.) stresses the requirement for morality, responsibility and competence in the profession of archaeology. It lays down the archaeologist's responsibilities to the public, the resource base and colleagues and demands that research projects be conducted according to specified minimum standards. The Society for Hawaiian Archaeology has taken SOPA's Standards of Research Performance a step further with its 'Minimum Standards for Archaeological Monitoring'. This spells out the archaeologist's responsibilities in, and defines a working programme for, a specific archaeological situation - 'the last stage of data recovery in the archaeological mitigation process' (SHA n.d.). The code sets out obligations to the client (the developer or contractor), to the resource (efficient recovery of data from a site about to be destroyed) and to the public and profession (through publication of data).

In Britain, the Institute of Field Archaeologists was formed in 1982 as a response to, among other things, an increase in demand for archaeologists, resulting from the increased threat to archaeological sites through development (Addyman 1984; 1989: 303-6). The Institute's first Chairman, Peter Addyman, explains it thus:

'Archaeology as a profession had...come of age and required a professional institution comparable to those in innumerable other disciplines which provided a service to the public' (Addyman 1984).

Like these other disciplines, it required a code of conduct. As with other such codes, the IFA code is set out in terms of professional, public and management responsibilities, with particular emphasis laid on the responsibility to the resource base, the archaeologists' obligation to:

'conserve the archaeological heritage, to use it economically in their work, to conduct their studies in such a way that reliable information may be acquired, and to disseminate the results of their studies' (IFA, n.d.).

In one of many publications resulting from the 1986 World Archaeological

Congress (WAC), in Southampton, Cleere (1989: 17) makes the point that:

'The creation of a new profession of archaeological heritage manager imposes an obligation for peer recognition and review of the type embodied in ... professional institutions ...'

In the same volume, Davis (1989: 278-9) emphasises the need for professional training and accreditation of the type provided by SOPA and predicts:

'In the USA at least, 99 per cent of the employment available to archaeologists for the next few decades is probably going to be oriented towards the best treatment of archaeological sites for the public good' (i.e. cultural resource management).

While the figure of 99 per cent may be a little high, the fact is that most archaeologists employed in New Zealand since the passing of the Historic Places Amendment Act 1975 have been involved at one time or another with issues or fieldwork relating to heritage (or cultural resource) management. The need for professional standards and ethics applies equally in New Zealand.

RESOURCE CONSERVATION AND INDIGENOUS RIGHTS

Following the formation, in the 1970s and early 1980s, of professional associations for archaeological heritage managers, archaeologists outside New Zealand have continued to be concerned about professional issues. Some of the emphasis has shifted, however, from the purely professional obligations of cultural resource managers towards two major unresolved concerns - the obligations to conserve the rapidly diminishing resource and to respect the interests of indigenous peoples. The irony for archaeologists is that these two concerns are not necessarily compatible.

In considering the first issue, that of the need for the conservation of archaeological resources, Price (1989: 292) notes that:

'The idea that archaeological resources, like other substantial assets, require active management has received wider recognition during the past 20 years' and that: '...awareness of the principles of conservation should...be required of a manager of archaeological resources.'

Addyman (1989: 304) agrees:

'... archaeologists [have] a corporate and an individual duty to help to conserve the archaeological heritage. They should regard it as a finite resource, and use it economically in their work.'

Mayer-Oakes (1989: 53) uses the term 'stewardship' in this context, following Fowler (1984: 116) in defining it as 'the conservation and wise use of resources for public benefit'.

These considerations raise the question, in passing, of whether or not

archaeologists are the best people to decide, as heritage managers, on the ultimate fate of archaeological sites. As Thomas Lincoln, an archaeologist with the US Bureau of Reclamation, states, '... we are trained archaeologists, not preservationists. Regardless of what we say, we prehistorians want to dig every site that we can get a shovel into.' (Czaplicki 1989: 254). Clearly, unless archaeological heritage managers can be persuaded to subscribe to a set of ethical standards, they could lose the right to manage what they often regard as their own resources.

Which brings us to our second concern - the right of indigenous people to take responsibility for their cultural resources. Flood (1989: 83) sums it up thus:

'Gone are the days when archaeologists could dig away and pose their theoretical problems without dealing with living people or concerning themselves with social or ethical problems. The need to consult and to involve [Aborigines] in archaeology is very clear, and the ethical, philosophical, legal, social and political arguments in favour are overwhelming.'

In 1982, the Australian Archaeological Association, at its Annual General Meeting, adopted the motion that:

'This conference acknowledges Aboriginal ownership of their heritage. Accordingly, this conference calls on all archaeologists to obtain permission from Aboriginal owners prior to any research or excavation of Aboriginal sites.' (Flood 1989: 83-4).

The second World Archaeological Congress (WAC), held last year in Venezuela, has adopted a First Code of Ethics, spelling out members' obligations to indigenous peoples (Matunga et al. 1991; Bulmer 1991). The Code was prepared in draft form by the New Zealand Maori delegation and adopted by the WAC Executive and Council. Its statement of Principles acknowledges the rightful ownership by indigenous people of their cultural heritage, while its Rules oblige members to consult to the fullest possible extent with the appropriate indigenous group before undertaking an investigation of any aspect of their cultural heritage. The First Code appears to accept, but does not specifically state, the premise that the relationship of indigenous peoples to their cultural heritage, and to archaeologists, is not one of choice. Whereas the archaeologist is always able to choose not to investigate a site, or to walk away from it after investigation, the descendants of a site's creators are bound to it by involuntary ties of blood or tradition which are, in an important sense, indissoluble. Despite being described by Bulmer (1991: 55) as 'one-sided', a view which is at least arguable, the Code forms an important step towards indigenous peoples' control of their heritage.

PROFESSIONAL ETHICS IN NEW ZEALAND ARCHAEOLOGY

Let us now look at the New Zealand situation and the extent to which the need for ethical standards, including a conservation approach and full recognition of indigenous rights, is accepted by the New Zealand archaeological community.

It needs to be borne in mind that the New Zealand Archaeological Association is essentially an association of amateurs and that only a minority of members have ever been professionals in the sense that they are paid full time to practise archaeology. Nonetheless, the need to promote high standards has always been a concern of members, and from its beginning, the Association was mindful of the ethical issues which I have been discussing.

Scarlett (1958: 1), writing as the *Newsletter's* Editor, pointed out the need to consult landowners and Maori communities and to record excavations properly:

'All our sites are part of our national heritage. Once dug, the job cannot be repeated, and if not excavated properly, a site is ruined'.

On the rights of indigenous peoples, he said:

'If archaeological sites are to be regarded as perhaps the most important part of the national heritage which will shape the New Zealand culture of tomorrow, it is obvious that they belong in a special and peculiar sense to the Maori people ...' (Scarlett 1959: 3).

In the same issue of the *Newsletter*, Peter Gathercole was reported as suggesting, at the Association's 1959 Annual conference in Rotorua, that:

'a discussion on ethics should be profitable. Our approach to a site should be ethical not only to the Maori people but to our archaeological colleagues. We should remember that a site can only be dug once.' (Scarlett 1959: 5).

These comments reflect an awareness of the ethical issues discussed previously. The extent to which that awareness was put into practice is, however, another matter. Nearly thirty years later, Maori still found it necessary to remind Pakeha archaeologists of the special, and involuntary, relationship that indigenous peoples have with the pre-Colonial past:

'New Zealand's past belongs to all New Zealanders - but first it is ours!' And, 'To know [my tupuna], you must know me! In order to deal with them, you must deal with me!' (O'Regan 1987: 142, 145; see also Norman 1979; Lawlor 1986; Allen 1991.)

By 1960, the NZAA Council had drawn up a set of aims and principles (NZAA 1960), which stated the Association's role in protecting sites as part of the national heritage and which included a clear statement of members' obligations to observe high standards in their work and to consult landowners and 'obtain the goodwill ... of any local Maori community ...', before carrying out investigations. This first published set of aims and principles, which all members agreed to abide by, contained the three elements of management, professional and public obligation discussed in the introduction to this paper. It was not particularly detailed or comprehensive, but it nonetheless represented a reasonable step towards a full code of ethics.

The NZAA's aims and principles changed as time went on (see Buist 1963; Groube 1966; NZAA n.d.). In 1972, seventeen years after it was founded, the

Association began to publish its Aims and Principles on the inside front cover of the *Newsletter* (NZAA 1972). Initially, these took the form adopted at the Association's 1966 Annual General Meeting (Groube 1966) and were reasonably comprehensive, focussing on the preservation of the archaeological heritage, the communication of information, the encouragement of research and the fostering of good archaeological field practice.

Eight years later, the Aims as such were no longer being printed in the *Newsletter* but had been replaced by a less comprehensive set of three Principles (NZAA 1980), acknowledging the scientific basis of archaeology, the public nature of archaeological knowledge and the need to abide by the provisions of the Antiquities Act 1975 and the Historic Places Amendment Act 1975. (Both of these Acts had come about partly as the result of a vigorous campaign conducted by the Association in the early 1970s - see, for example, McFadgen and Daniels 1970; Park et al. 1973.) Legislation had to a certain extent replaced the voluntary code, but the Association's principles remained essentially an ethical statement.

A further eight years on, in 1988, the *Newsletter* became *Archaeology in New Zealand*, a new editor came on the scene, and the published objectives of the Association were reduced to one - 'to promote and foster research into the prehistory and archaeology of New Zealand' (NZAA 1988). Not only is this statement lacking in any ethical content, but it misrepresents the Association's Objects as expressed in the present (1972) Constitution (NZAA n.d.). Even so, apart from two clauses encouraging the conservation of sites and artefacts, the Association's current Objects cannot be construed as an ethical code. Although they provide for mutual support, communication and the dissemination of information, they no longer set out members' obligations in the way that the earlier aims and principles did.

So far as I am aware, neither University Departments of Anthropology, Museums nor Government agencies in New Zealand have yet come up with any code which might form a suitable ethical statement for archaeologists. The NZ Historic Places Trust Archaeology Committee compiled an archaeological policy in 1983 (NZHPT 1983), but that was a policy statement rather than a code of ethics. The Historic Places and Antiquities Acts impose significant restrictions on archaeological activity, including the requirement for Maori concurrence to archaeological investigations (Anon. 1980: cl.44 (2); Sheppard 1987: 149), but legislative constraints are hardly the same thing as a voluntary code of conduct. Historic Places Trust policy is moving towards recognition of indigenous rights, particularly through increasing Maori representation on its Board and committees such as the Maori Heritage Council and the former Maori Advisory Committee, but is not yet comprehensive (Allen 1988: 149-51; pers. comm.). The Department of Conservation presumably imposes its own standards on its archaeological staff, but if this is the case it is done without reference to the rest of the profession.

Archaeologists in New Zealand would be left then without any comprehensive statement of ethical standards, were it not for the existence of the Institute of New Zealand Archaeologists (INZA). This body was founded in 1984, after five years of discussion, as a professional association of archaeologists. Its structure and philosophy are loosely based on those of the AAA, SOPA, and IFA (Coster 1984). The Institute's Code of Ethics sets out members' responsibilities towards the profession, to the public and to the archaeological resource base, although it does not express a particularly conservationist view. The Code is

unusual in that it specifically mentions responsibilities toward all cultural groups and to the Maori community in particular, though this latter section is not as full as that proposed by Matunga et al. It merely requires members to 'inform appropriate Maori groups or authorities of proposed archaeological investigations or surveys and keep such groups informed of the progress and results of their work.'

The Institute has a membership of 24 and is currently inactive. Its main impetus came from individuals with insecure employment outside the archaeological 'establishment' of the museums, the two University archaeology departments and the Historic Places Trust. Only three of its members came from within these institutions. The failure of mainstream archaeologists in secure employment to join the Institute is a major factor in its current inactivity. The reasons for this lack of interest are not clear, but could result from the small size of the profession and the lack of perceived need for ethical self-regulation by New Zealand archaeologists. In a small university department, for example, controls over professional behaviour are to a certain extent 'built in' through personal contact with peers and the requirements of the university system, but the perception that having a permanent job in archaeology itself confers automatic ethical behaviour (or even the right to ignore the need for ethical standards) may be a factor. Other possible reasons include the previously high membership fee and the perceived complexity of the Institute's procedures for admission to membership. Whatever the explanation, it seems unlikely that the Institute will become active again in the near future, and it is therefore probably up to the NZAA to take up the issue of professional ethics with its own members.

CONCLUSION

In summary, I have attempted to argue the following points -

1. In the modern world, much of the archaeological work carried out will be to do with Cultural Resource, or Heritage, Management.
2. In recognising the at least partial involvement of most archaeologists with Heritage Management, we must also recognise the need for related professional institutions.
3. An important function of such institutions is to provide peer review, mutual support, training and communication.
4. They also have an important ethical function in codifying the professional archaeological culture in terms of the individual's professional, public and management obligations.
5. Among these obligations should be a clear commitment to the conservation of the archaeological resource and to the right of indigenous people to manage their own heritage. The apparent paradox arising from the fact that these two commitments are not necessarily compatible is one which archaeologists will have to deal with.

I end with another quotation from Peter Addyman:

'The very nature of rescue archaeology ... brought archaeologists into contact with the real world, away from the sun-swept downlands of earlier research projects and far from the ivory towers of Academe ... No longer is (archaeology) a remote subject which can safely be left to harmless and devoted scholars. It has become part of the activities of everyday life, with the same potential for good and for disruption as any modern discipline, and for which some sort of self-regulation was needed before society imposed it from outside' (Addyman 1989: 303,307).

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